

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF WASHINGTON**  
**AT SEATTLE**

YASMINE MAHONE, an individual, and )  
BRANDON TOLE, an individual, on behalf of )  
themselves and all others similarly situated, )

Plaintiffs, )

vs. )

AMAZON.COM, INC., a Delaware )  
corporation, AMAZON.COM SERVICES )  
LLC; a Delaware Limited Liability Company; )  
and AMAZON.COM.DEDC, LLC; a )  
Delaware Limited Liability Company; and )  
AMAZON.COM.KYDC, LLC, a Delaware )  
Limited Liability Company )

Defendants. )

**CASE NO. 2:22-CV-00594-MJP**

**PLAINTIFFS' MOTION TO SEAL**  
**UNREDACTED EXHIBITS 2-9**  
**ATTACHED TO THE**  
**SUPPLEMENTAL DECLARATION**  
**OF GENE J. STONEBARGER IN**  
**SUPPORT OF PLAINTIFFS' MOTION**  
**FOR CLASS CERTIFICATION**

Pursuant to Local Civil Rule 5(g) and the Protective Order issued by this Court on February 14, 2023 (ECF No. 48), Plaintiffs YASMINE MAHONE and BRANDON TOLE (“Plaintiffs”) respectfully request the Court to Seal Exhibits 2-9 attached to the Supplemental Declaration of Gene J. Stonebarger in Support of Plaintiffs’ Motion for Class Certification filed concurrently herewith, and previously marked as “Confidential” by Amazon.

Plaintiffs do not believe that any documents should need to be filed Under Seal, and believe the Only material properly designated a “Confidential” is any personal and financial information regarding any of Amazon’s current or former employees. In Plaintiffs’ view, Amazon has stated no basis to support the “Confidential” designation regarding any of the documents produced or of the deposition testimony so designated.

Plaintiffs have met and conferred with all Amazon in an attempt to reach agreement on the need to file document under seal which Amazon has designated as “Confidential”, to minimize the amount of material filed under seal, and to explore redaction and other alternatives to filing under seal.

The Parties also met and conferred regarding a potential omnibus motion to seal on October 9-10, 2023, which was ultimately not agreed upon. On October 10, 2023, after technical difficulties in planned conference call failed, Plaintiffs reiterated their request by email for Amazon to “identify the basis for sealing the specific confidential information at issue” pursuant to the Protective Order [Doc. 48] at Para. 4.3, which provides as follows:

Filing Confidential Material. Before filing confidential material or discussing or referencing such material in court filings, the filing party shall confer with the designating party, in accordance with Local Civil Rule 5(g)(3)(A), to determine whether the designating party will remove the confidential designation, whether the document can be redacted, or whether a motion to seal or stipulation and proposed order is warranted. During the meet and confer process, the designating party must identify the basis for sealing the specific confidential information at issue, and the filing party shall include this basis in its motion to seal, along with any objection to sealing the information at issue. Local Civil Rule 5(g) sets forth the procedures that must be followed and the standards that will be applied when a party seeks permission from the court to file material under seal. A party who seeks to maintain the confidentiality of its information must satisfy the requirements of Local Civil Rule 5(g)(3)(B), even if it is not the party filing the motion to seal.

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2 Further, in compliance with the Meet and Confer Requirements of LRC 5(g)(1) Plaintiffs  
3 requested that Amazon withdraw the confidential designation on its productions or agree to redact  
4 any truly “Confidential” portions of a document (subject to Plaintiffs’ agreement) so that sealing  
5 is unnecessary.

6 Amazon responded on October 11, 2023 stating its position that the Protective Order  
7 defines “Confidential Material” much more broadly and allows for protection of the subject  
8 documents.

9 “‘Confidential’ material shall include the following documents and tangible things  
10 produced or otherwise exchanged: any personal, financial, or medical information, Testimony, and  
11 Documents of Defendants, Plaintiffs, and/or any current or former employees of Defendants, or  
12 other information that implicates the personal privacy of Plaintiffs, and/or any current or former  
13 employees of Defendants, proprietary business information, or competitively sensitive  
14 information, including Defendants’ military leave policy, Defendants’ human resources policies,  
15 metrics specific to Defendants’ operations management, and other Testimony, Documents or  
16 information that contain non-public, private or sensitive information that requires the protections  
17 provided in this Stipulation.” Dkt. 48 at § 2.2.

18 Amazon contends that many of the documents produced and testimony provided by  
19 Amazon’s witnesses involves proprietary business operations information that Amazon  
20 intentionally does not release to the public (which include Exhibits 2-9 of the Supplemental  
21 Declaration of Gene J. Stonebarger in Support of Plaintiffs’ Motion for Class Certification).  
22 Amazon believes these materials have been properly designated.

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DATED January 5, 2024

s/ Gene J. Stonebarger

Gene J. Stonebarger (*admitted hac vice*)

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*Counsel for Plaintiffs*

*and the Proposed Putative Classes*

**CERTIFICATE OF SERVICE**

I certify that on January 5, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notification of the filing to all registered users of the CM/ECF system.

Dated: January 5, 2024

*s/ Gene J. Stonebarger*

Gene J. Stonebarger